

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Paul Krutko  
John Weis  
Stephen M. Haase  
James R. Helmer

**SUBJECT: STUDY SESSION ON POLICY  
UPDATES FOR DOWNTOWN,  
NORTH SAN JOSE, AND  
TRANSIT CORRIDORS**

**DATE:** 02-09-05

Approved



Date

2/10/05

Council District: Citywide

## **RECOMMENDATION**

Accept report and community input on updates to the City's jobs, housing and transportation policies to support economic development in Downtown, North San José, and transit corridors.

## **BACKGROUND**

The purpose of this report is to inform the City Council and facilitate discussion on the scope and status of efforts to update three policies related to Downtown development, North San José development, and Transportation Level of Service. In addition to this report, other information and input to the City Council at the Study Session will include a staff presentation and presentations by community panels representing the topics of:

- Economic Development and Transportation
- Housing
- Downtown and Neighborhoods

The three policy updates provide a proactive framework to direct projected new jobs and population over the next 30 years to North San Jose and Downtown, and to preserve the scale and walkability of affected neighborhood-serving retail districts and transit corridors, in order to preserve the 'vital cycle' between San Jose's economic competitiveness, City fiscal viability, and quality of life. These policy updates implement Strategic Initiative # 11 of the City's Economic Development Strategy: "Revise Key Land Use and Transportation Policies to Reflect the New Realities of the San Jose Economy."

In November 2003, the City Council approved San José's Economic Development Strategy. The Strategy was based on the "Getting Families Back to Work" study sessions where economic and community stakeholders recommended ways to improve San José's business climate and competitiveness, as well as on other significant research. This report includes three major policy revisions, each of which would further implement this Strategic Initiative:

1. Complete the master Environmental Impact Report (EIR) to facilitate consideration and implementation of the **Downtown** Strategy Development Plan, which concentrates and clusters more employment, residential, and cultural resources Downtown.
2. Update the **North San José** Area Development Policy to allow more vertical workspaces, more supportive commercial development along and near the First Street rail corridor and the airport, and the introduction of mid-rise workforce housing in strategic locations.
3. Revise the Citywide **Transportation Level of Service Policy** to encourage enable higher-density development, more walkable neighborhoods, and new amenities along transit corridors and in special mixed-use districts (i.e., Specific Planning Areas).

The intent of each of these land use and transportation policy initiatives is to direct and manage future growth in a manner that continues business prosperity and a high quality of life for residents by balancing economic goals with housing, transportation, environmental, and open space strategies. City staff is working to complete each of these land use and transportation policy initiatives by Spring of 2005.

Although this report focuses on policies to support development plans for Downtown and North San José, and an update to Citywide transportation policies, other development planning is underway in Coyote Valley, Edenvale, Evergreen, and the Berryessa BART Station Area.

## ANALYSIS

### Rationale for Proposed Policy Update

*San Jose needs to prepare now for the addition of new jobs and residents over the next 30 years.* Despite the recent economic downturn, San Jose is anticipated to add 240,000 jobs and 355,000 residents over the next 25 years (2005-2030). The County is expected to add 440,000 more jobs and 520,000 new residents during this period. This forecast is based on recent projections from the Association of Bay Area Governments (ABAG).

It is not practical to "prevent" job growth or the increase in the City's population. Ninety five percent population growth is expected to occur due to 'natural increase' by existing residents. If San Jose refuses to accept more jobs, residents will have to drive to nearby communities for work, compounding traffic congestion, and, without a growing job base, the tax base that funds City services will erode.

*San Jose has the opportunity to be strategic and proactive in our planning efforts. As a City, we can endeavor to direct future growth to specific locations in order to minimize traffic congestion, maximize economic vitality, enhance quality of life, and protect neighborhoods. If all of the Policy Updates described in this report were implemented, new job and housing growth would be focused in three areas: North San José, Downtown and along transit corridors. Each of these policies is intended to help protect the character of suburban residential neighborhoods and safeguard our open space from urban sprawl by thoughtfully allowing for increased densities in other key areas. Each of these policy updates also would help to minimize the costs of delivering public services by facilitating development within existing urbanized areas.*

*In neighborhood retail areas and transit corridors that 'feed' Downtown and North San Jose, each of the Policy Updates helps to preserve their walkability and scale. Although these areas will have slower-moving traffic, they will have convenient transit commutes to major job centers, and will gain enhanced retail opportunities, new community amenities, and increased vitality, as has occurred along The Alameda.*

*Last, to continue to be a thriving business center, North San Jose must change from an outdated low-rise industrial campus to a contemporary innovation district. This requires freeing our City from self-imposed restrictions on development in this area. Many of North San Jose's first-generation one and two story buildings are now as obsolete as the vision forged 30 years ago of North San Jose as an industrial manufacturing area. This outdated industrial model, moreover, makes inefficient use of scarce land resources and public transit investment. If San Jose continues to prevent the evolution of North San Jose through the City's own regulations, companies will go to nearby communities (as several have recently), San Jose will be less competitive, and the City's fiscal base will erode.*

#### Policy Overview

- ***Downtown Strategy 2000*** – The completion of the Downtown Strategy Plan EIR and adoption of the Downtown Strategy 2000 Plan would strengthen the development potential of the Greater Downtown area by allowing higher-density infill development, encouraging revitalization of underutilized areas, and expanding land use intensities. This will set the stage for additional high-rise housing developments, thereby increasing the attractiveness and diversity of San José's housing options. The Strategy proposes adding 10 million square feet of office development, 1 million square feet of retail, 2,500 new hotel rooms, and 10,000 new housing units. Downtown is proposed to accommodate 30,000 new jobs and will continue to evolve as a unique creative and cultural center of Silicon Valley.
- ***Vision North San José*** - City research and recent expansion decisions by companies such as eBay and BEA Systems demonstrate that growth companies want North San Jose to become a mid-rise, pedestrian friendly environment with business support amenities and



mid-rise housing nearby. The current environment, initiated 30 years ago, features primarily low-rise industrial buildings, many of which are now considered obsolete.

To ensure the ongoing appeal of North San José, proposed revisions to the North San José Development Policy would allow taller buildings to be built near the light rail and Airport, adding 26.7 million square feet of “driving industry” office development (approximately 68,000 jobs). The street system would be modified to create a more walkable, attractive and interactive environment, and with integrated local retail uses. Approximately 32,000 new housing units, primarily mid-rise apartments to serve the workforce, could be built near transit. The vision is to create the premier Silicon Valley corporate business center with a nearby supply of attractive and affordable worker housing with supportive commercial services. This would create a mid-rise employment environment to complement the Downtown high-rise district and increase the City’s competitive advantage in the region.

- ***Revised Transportation Impact Policy*** – A key initial policy consideration needed for permitting the increased densities of the Downtown and North San José plans is to determine the manner in which to strengthen San José’s transportation policy to build an integrated transportation system, manage congestion and improve neighborhood livability. The recommended proposal described below broadens options for addressing traffic congestion in targeted areas such as transit corridors and neighborhood business districts. Rather than simply widening intersections so they become pedestrian and transit unfriendly, developers would be allowed under the proposed policy update to provide other transportation-related improvements to offset vehicular congestion impacts, such as improved pedestrian and bicycle facilities, transit enhancements, and traffic calming. The intensification and preservation of walkability and other non-vehicular modes of transit will lead to more amenities, retail offerings, and vitality in these areas.

The Transportation Impact Policy update proposes to revise congestion limits in areas currently planned for mixed-use, transit-oriented development, thereby allowing for housing and neighborhood retail opportunities along transit corridors, most of which are aligned with Downtown and/or North San José. A revised Transportation Impact Policy also facilitates the implementation of General Plan Smart Growth Policies and Strong Neighborhood Initiative Plans by supporting in-fill development, creating walkable neighborhoods, and revitalizing neighborhood business districts. A copy of the proposed policy revision is included in Appendix A (after the Attachments) at the back of this report.

The framework of the proposed policy was established in coordination with the Building Better Transportation Committee, during a series of four meetings in 2003. During these meetings a variety of policy update options were considered as well as “best practices” from other cities (including Portland, Austin, Minneapolis, Denver, and San Diego).



A map of the planned growth areas facilitated by each of the Downtown, North San José and Transportation policy initiatives, respectively, is shown on Attachment 1. If all of the policy updates were adopted and implemented, the policies would serve to increase jobs, housing and efficient transportation choices for more than 100,000 residents. From a transportation perspective this planning effort reflects a nearly optimal scenario for managing future congestion and ensuring multimodal mobility.

The Association of Bay Area Governments (ABAG) forecasts that Santa Clara County population will grow by 30% over the next 25 years, but the capacity of the local highway system can only be expanded by 6%. Accordingly, the key to preserving mobility is to shorten commute trips and increase the use of non-auto travel modes. Each of the proposed policy initiatives endeavors to facilitate this goal by:

- Improving the balance and geographic proximity of jobs and housing
- Fostering shorter commute trips and greater viability for walking, biking and transit travel
- Increasing jobs, housing, and retail development along transit lines, especially Light Rail Transit lines
- Investing in improved pedestrian, bicycle and transit facilities

Additionally, a more compact urban development pattern allows for better utilization of existing transportation and other existing infrastructure and results in lower costs per capita to provide public services. This is clearly a more fiscally sustainable way to grow.

#### Transportation Improvements

Each of the three policy initiatives provides the financial resources for significant investments to improve access and mobility in the various development areas affected by each policy. Attached is a table summarizing the major transportation improvements proposed as conditions of the future development (Attachment 2). The various projects would be financed primarily by new development through the establishment of development fees and assessment districts. Some transportation funding is proposed by the Redevelopment Agency and some level of funding from regional transportation grants is anticipated. The scope of transportation improvements for the North San José plan is estimated at approximately \$500 million and \$50 million for the Downtown plan.

#### Transportation Impacts

Traffic studies for each of the three policy initiatives have identified locations where traffic conditions are likely to exceed the current standards of the City's existing Transportation Impact Policy (also known as the Traffic Level of Service policy). Since the 1970's the City has

maintained a traffic policy that generally restricts development uniformly across all of San Jose unless a traffic level of service (LOS) of "D" can be provided. LOS "D" or better ("A", "B" or "C") is a condition whereby traffic at a signalized intersection can clear the intersection during a single "green phase". The traffic congestion rating is based on the peak-hour commute period. The LOS "D" policy standard is typical for suburban communities, but is neither achievable nor desirable in a denser urban environment. By Council policy, the Downtown area is already "exempt" from traffic LOS standards and the North San José area has a "relaxed" standard as part of the existing Area Development Policy. It should be noted that San Jose has the most stringent traffic level of service policy within the County.

Attachments 3 and 4 identify 27 intersection locations outside the Downtown and North San José boundaries that are projected to be congested beyond LOS "D", that is LOS "E" or "F", during peak travel periods. Opportunities to expand these intersections have been reviewed and determined to be undesirable due to their adverse impacts upon other transportation modes at that location and the aesthetics of the immediate area. All of the 27 intersections are within transit corridors, neighborhood business districts, or neighborhood gateways to the Downtown area. In these areas, it is recommended that the width and scale of the intersection be protected from roadway widening that would have a detrimental impact on the quality of the pedestrian environment and appearance of the street.

The term "protected intersection" has been proposed as part of the new Transportation Impact Policy to designate certain intersections for which LOS "D" can be exceeded to support planned growth, other non-vehicular modes of transit, and for which roadway widening is not feasible or desirable. However, as a condition of development that increases congestion at a "protected intersection", a development utilizing the Policy would be allowed to provide "offsetting improvements" that enhance pedestrian, transit, or bicycle facilities, within in the adjacent community. The "offsetting improvements" are proposed to be implemented in accordance with the following criteria:

- Value of improvements is based on \$2,000 per peak-hour trip generated by a development project
- Improvements are to be provided within the "community improvement zone" (see Attachment 5) where the protected intersection is impacted
- Scope of improvements is determined in coordination with the community
- Improvements are constructed as part of the development project.

The \$2,000 per peak-hour trip value is based on an assessment of typical traffic mitigation costs for infill development projects. Also, it is noted that the "offsetting improvement" condition would not apply to individual development projects located within the Downtown Core or within the boundaries of the North San José Area Development Policy. For development within these

areas, the traffic mitigation measures and/or offsetting improvements would be implemented in accordance with the master EIR and the associated implementation policies.

Modification of the LOS "D" congestion limit is a necessary initial policy consideration to support future infill growth and to provide an integrated, multi-modal transportation system. A flexible transportation policy, particularly in transit corridors and business districts, is the "best practice" used by other communities. Most of these jurisdictions merely override their policy and do not require offsetting improvements or improvements are "negotiated" on a case-by-case basis. The policy proposal to allow for and define offsetting improvements as part of the development process provides clear benefits to the affected community and provides desired predictability for the development community.

It is noted that the traffic impact analyses performed in connection with each of the policy updates are based on several assumptions that would cumulatively lead to a "more congested" assessment than what would be expected in the future. The key assumptions used in the traffic analyses are as follows:

- Transportation improvements funded by the North San José and Downtown plans each are assumed to be built (this includes the projects noted in Attachment 2).
- All conversions of Downtown "one-way couplet" streets are assumed to be built in accordance with the plan approved by the City Council on June 4, 2002.
- The analyses do not consider the transportation system benefits related to completion of the Route 87 freeway widening improvements from Julian Street to Route 85 that are now under construction (the funding commitment for this project was uncertain at the time each of the traffic analyses work was started).
- Each of the analyses does not consider the transportation system benefits associated with the planned BART and Downtown East Valley Transit projects.

## **PUBLIC OUTREACH**

For the past six months, City staff has been actively communicating with the community and other stakeholders about the City's land use and transportation policy initiatives associated with the City's Economic Development Strategy. Attached is list of outreach meetings that have occurred relative to the Downtown, North San José and Transportation LOS policies.

The public response has ranged from enthusiastic support to strong opposition. At the Council Study Session, staff will present further details related to public feedback and key issues.



02-09-05

**Subject: Policy Updates for Downtown, North San José and Transit Corridors**

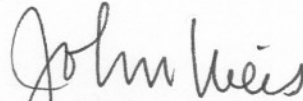
Page 8

**COORDINATION**

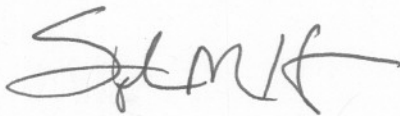
Development of each of the Downtown, North San José, and Transportation Impact Policy initiatives is an effort jointly led by the Office of Economic Development; the Redevelopment Agency; the Department of Planning, Building and Code Enforcement; and the Department of Transportation, working in collaboration with the Department of Public Works and the City Attorney's Office.



PAUL KRUTKO  
Director of Economic Development



JOHN WEIS  
Deputy Executive Director  
Redevelopment Agency



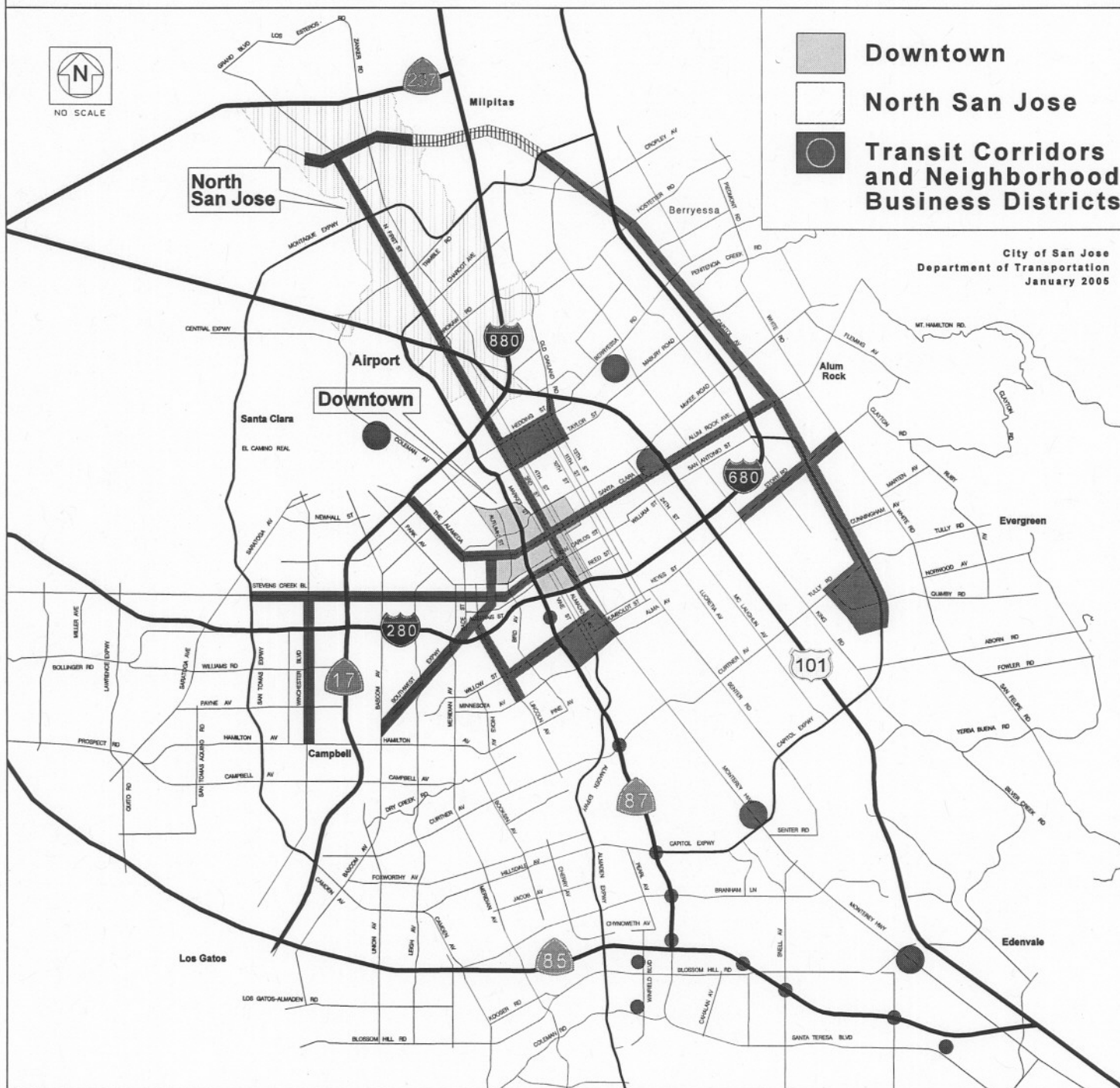
STEPHEN M. HAASE  
Director of Planning, Building and  
Code Enforcement



for JAMES R. HELMER  
Director of Transportation

Attachments

# Jobs/ Housing/ Transportation Policy Update



## Transportation Improvements

This exhibit lists major transportation improvements proposed for implementation as part of the Downtown and North San José development plans.

### **Downtown**

Coleman Avenue Widening to 6 lanes  
 Autumn Street Extension  
 Oakland Road/US 101 Ramp Improvements  
 280/7th-3rd Ramp Extension  
 87/Julian Ramp Improvements

### **North San Jose**

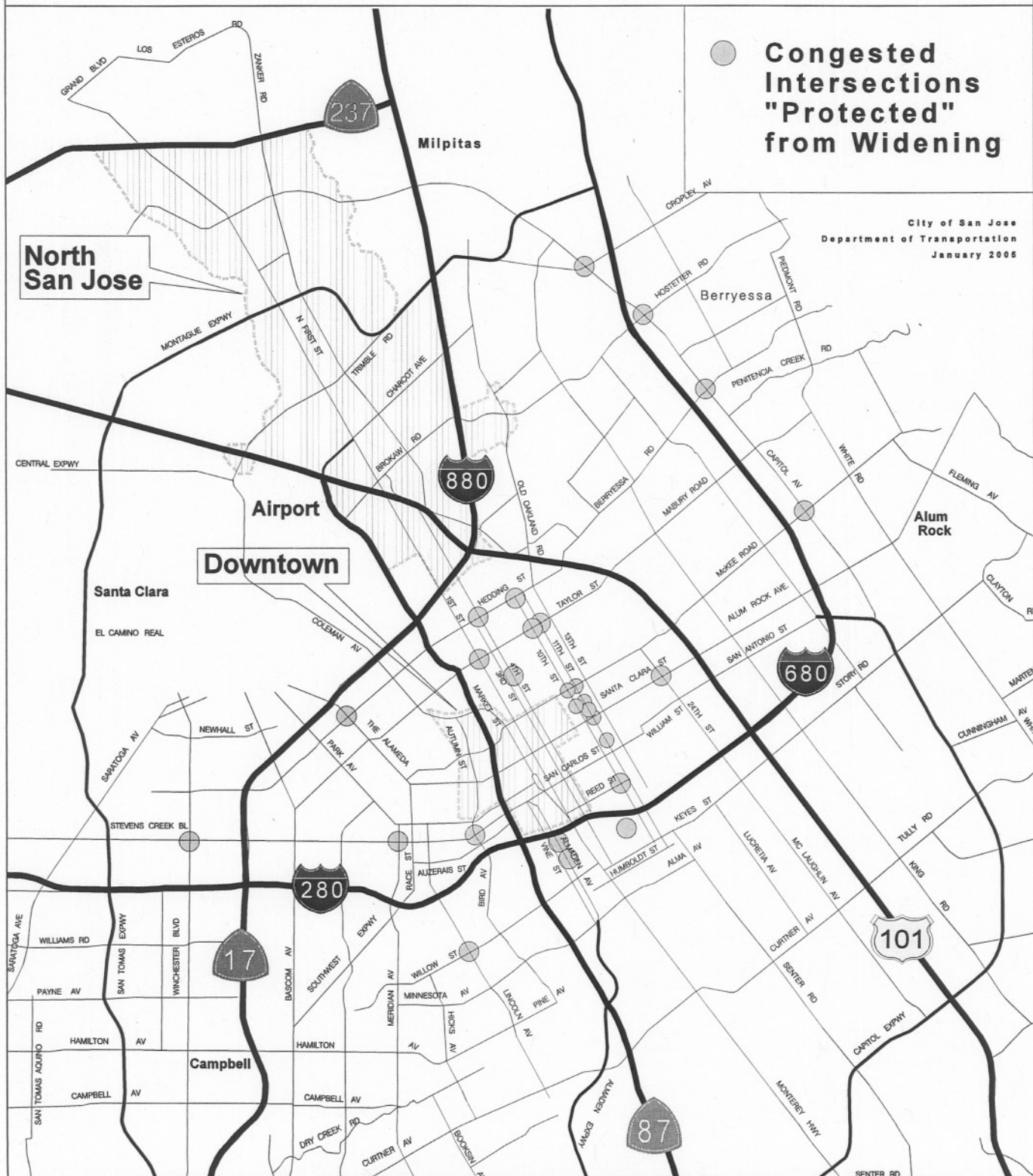
Montague Expressway Widening  
 4<sup>th</sup> St./Zanker Rd./Skyport Dr. Connection  
 Charcot Avenue Extension over 880  
 Zanker Road Widening to 6 lanes  
 US 101/Trimble Rd. Interchange Upgrade  
 Montague Expwy./Trimble Rd. Flyover  
 Mabury Rd./US 101 Interchange  
 McCarthy Boulevard/Montague Expwy. Interchange  
 Oakland Road/US 101 Ramp Improvements  
 Core Area Supporting Street System (Grid Streets)  
 Miscellaneous Intersection Improvements  
 Creek Trails at Guadalupe River and Coyote Creek  
 Transit Enhancements  
 Downtown Couplet Conversions  
 Neighborhood Traffic Calming

Other transportation improvements serving the greater Downtown and North San José areas planned for implementation by other funding sources include:

- Route 87 Freeway Completion
- Traffic Signal Operations Enhancements/ Intelligent Transportation Systems (ITS)
- BART Extension
- Downtown East Valley Transit Corridor



# Protected Intersections

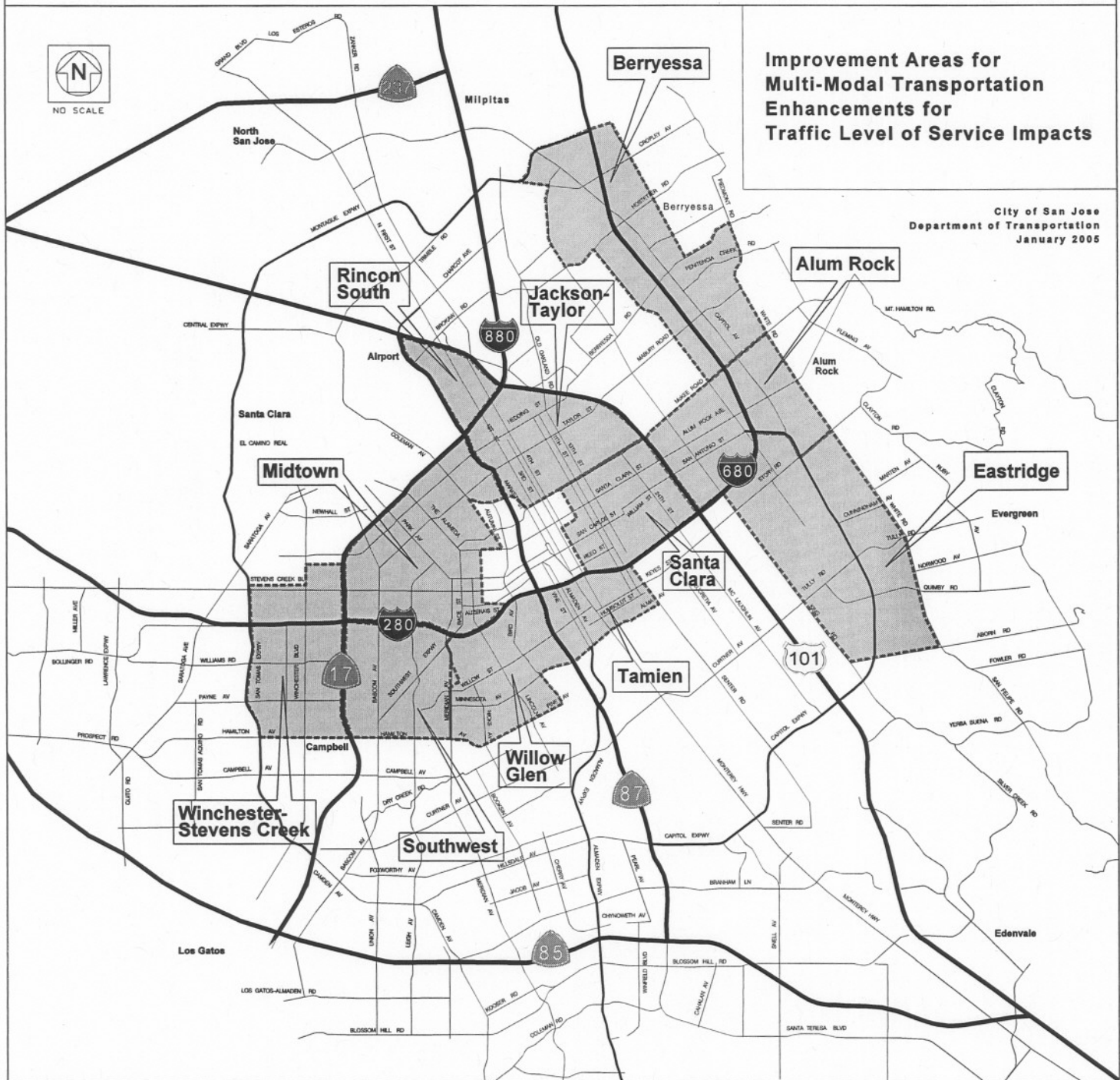


# Protected Intersections

This table provides forecasted traffic level of service (LOS) congestion ratings at intersections for which roadway widening is considered undesirable. The size and scale of these intersections is proposed to be "protected" to maintain a better "level of service" for pedestrians along transit corridors, neighborhood business districts and Downtown "gateway" streets. New development that significantly increases traffic at these intersections would not be required to widen the intersections, but instead would be allowed to provide improvements to the adjoining community consisting of enhancements to pedestrian, bike and transit facilities and/or traffic calming, and as determined in coordination with the community and pursuant to City policies.

#	Intersection	New LOS Policy	North SJ	Downtown	Cumulative
1	Alameda/ Hedding	E	F	E	F
2	Bird/ San Carlos	E			E
3	Meridian/ San Carlos	E		E	E
4	Lincoln/ Willow	E			E
5	Winchester/ Stevens Creek	F			F
6	First/ Taylor	F	F	F	F
7	4 <sup>th</sup> / Hedding	E	E		E
8	11 <sup>th</sup> / Taylor	F	F	F	F
9	24 <sup>th</sup> / Santa Clara	F			F
10	Capitol/ Cropley	F			F
11	Capitol/ Hostetter	E	E		E
12	Capitol/ Berryessa	E			E
13	Capitol/ McKee	F	E		F
14	Almaden/Grant		F		F
15	10 <sup>th</sup> /Hedding		E	F	F
16	10 <sup>th</sup> /Julian		E	F	F
17	10 <sup>th</sup> /Taylor		E	E	F
18	11 <sup>th</sup> /Julian			F	F
19	11 <sup>th</sup> /St James			F	F
20	11 <sup>th</sup> /St John			E	E
21	11 <sup>th</sup> /Santa Clara			E	E
22	11 <sup>th</sup> /San Antonio			F	F
23	10 <sup>th</sup> /St James			F	F
24	10 <sup>th</sup> / Reed			F	F
25	7 <sup>th</sup> / Virginia			F	F
26	4 <sup>th</sup> /Jackson			E	E
27	Almaden/Virginia			F	F
	<b>Total</b>	<b>13</b>	<b>10</b>	<b>17</b>	<b>27</b>

# Community Improvement Zones





## Public Outreach

This table provides a summary of recent staff communications with various community groups and stakeholders on the proposed policy updates related to Transportation Level of Service (LOS), North San José (NSJ), and Downtown.

Date	Event/Organization	LOS Policy	NSJ Plan	Downtown
Various	Other agency briefings (VTA, Caltrans, other cities)	X	X	X
Various	North San Jose Property Owners		X	
04/08/04	SJ Housing Advisory Commission	X		
09/23/04	Planning Commission Retreat	X		
10/06/04	General Plan Public Meeting	X	X	
10/07/04	General Plan Public Meeting	X	X	
10/25/04	Northeast SJ Community Meeting (Orchard School)	X		
10/26/04	West SJ Community Meeting (Moreland Community Center)	X		
10/27/04	South San Jose Community Meeting (Vineland Library)	X		
10/27/04 12/08/04 01/26/05	SNI Project Area Committee	X	X	X
10/28/04	Central San Jose Community Meeting (City Hall)	X		
11/01/04	San Jose Mercury News Editorial Board	X	X	X
11/08/04	SJ Bicycle and Pedestrian Advisory Committee	X		
11/15/04 01/10/05	Berryessa Community Action Council	X	X	X
11/16/04 11/29/04	San Jose Business Journal Briefing	X	X	X
11/19/04	Developer Roundtable (Planning)	X	X	X
11/30/04	Council District 6 Community Meeting	X	X	X
11/30/04	NSJ EIR Scoping Meeting		X	
12/ /04	Downtown Association		X	X
12/02/04	Citywide Public Meeting (City Hall)	X	X	X
12/02/04	Developer Stakeholders (Public Works)	X	X	X
01/04/05	Silicon Valley Manufacturing Group – Transportation Committee	X	X	X
01/05/05	Home Builders Association	X	X	X
01/07/05	Tri-County Apartment Association	X	X	X
01/10/05	Silicon Valley Manufacturing Group – Land Use and Housing Committee	X	X	X
01/14/05	Chamber of Commerce	X	X	X
01/14/05	Housing Action Coalition	X	X	X
02/07/05	Building Better Transportation Committee	X	X	X
02/07/05	Consulting Engineers and Land Surveyors of California	X	X	X

TITLE  PROPOSED TRANSPORTATION IMPACT POLICY	PAGE  1 OF 6	POLICY NUMBER  5-3
	EFFECTIVE DATE (Proposed)	REVISED DATE

## **BACKGROUND**

The San José City Council adopted the following City Policy on \_\_\_\_\_. This policy repeals and replaces previously adopted Council Policies 5-3, "Transportation Level of Service" and 5-4, "Alternate Traffic Mitigation Measures".

## **PURPOSE**

The purpose of this Policy is to guide analyses and determinations regarding the overall conformance of a proposed development with the City's various General Plan multi-modal transportation policies, which together seek to provide a safe, efficient, and environmentally sensitive transportation system for the movement of people and goods.

## **POLICY**

### **I. TRANSPORTATION POLICIES AND PROGRAMS**

#### **A. General Plan and Adopted Council Policies**

Specific multi-modal transportation policies that are included in the City's adopted General Plan, or have otherwise been formally adopted by the City Council include the following:

**Pedestrians** General Plan policies encourage pedestrian travel between high density residential and commercial areas throughout the City. Pedestrian access is particularly encouraged for access to facilities such as schools, parks and transit stations, and in neighborhood business districts. [*General Plan Transportation Policy 17*]

**Bicycles** General Plan policies encourage a safe, direct and well-maintained bicycle network that links residences with employment centers, schools, parks, and transit facilities. Bicycle lanes are considered appropriate on arterials and major collectors. Bicycle safety is to be considered in any improvements to the roadway system undertaken for traffic operations purposes. [*General Plan Transportation Policies 50 through 53, 55 through 57*]

**Neighborhood Streets** General Plan policies discourage inter-neighborhood movement of people and goods on neighborhood streets. Streets are to be designed for vehicular, bicycle and pedestrian safety. Neighborhood streets should discourage both through vehicular traffic and unsafe speeds. [*General Plan Transportation Policies 1, 8 and 9*]

**Private Developments** When a Transportation Impact Analysis finds that a proposed development project would create an adverse traffic condition within an existing neighborhood, the City's Department of Transportation, other City staff, and the developer's consultants will work to ensure that the development will include appropriate measures, including traffic calming measures where appropriate, to minimize the adverse impacts to the neighborhood.

New development should create a pedestrian friendly environment that is safe, convenient, pleasant, and accessible to people with disabilities. Connections should be made between the new development and adjoining neighborhoods, transit access points, community facilities, and nearby commercial areas. [*Council Policy 5-6: Traffic Calming*]

**Transit Facilities** General Plan policies state that all segments of the City's population are to be provided access to transit. Public transit systems should be designed to be attractive, convenient, dependable and safe. [*General Plan Transportation Policy 11*]

**Vehicular Traffic** The General Plan provides that the minimum overall performance of signalized intersections within the City should achieve a minimum level of service. A development that would cause the performance of an intersection to fall below the minimum level of service needs to provide vehicular related improvements aimed at maintaining the minimum level of service. If necessary to reinforce neighborhood preservation objectives and meet other General Plan policies, the Council may adopt a policy to establish alternative mitigation measures. [*General Plan Level of Service Policy 1 and 5*]

**Regional Freeways** General Plan policies encourage the City's continued participation in interjurisdictional efforts, such as the Santa Clara County Congestion Management Agency, to develop and implement appropriate techniques to improve the regional transportation system. [*General Plan Transportation Policy 29*]

## **B. Implementation Programs**

In support of these policies, the City relies upon a number of implementation policies, ordinances, programs, and development processes to maintain and improve the multi-modal transportation system. Specific techniques for protecting neighborhoods from significant traffic effects, and for ensuring that the burden of serving new development does not fall disproportionately upon existing neighborhoods and businesses, presently include the following:

- (a) requiring that all new developments improve their own public street frontage;
- (b) requiring that all new developments maintain an overall standard of Level of Service D or better at signalized intersections unless the intersections are covered by an Area



- Development Policy or are otherwise designated by the City Council as exempt from this policy;
- (c) collecting taxes from new development for the purpose of maintaining existing streets and roadways. Existing taxes include the *Building and Structure Construction Tax* (SJMC §4.46), *Residential Construction Tax* (SJMC §4.64), and the *Construction Tax* (SJMC §4.54)
  - (d) implementing a Council “Traffic Calming Policy” that provides City resources to prevent, offset, or minimize adverse effects of vehicular cut-through traffic on residential neighborhoods.

## **II. TRAFFIC LEVEL OF SERVICE**

The following language addresses the specific methods for implementing item (b), the City’s adopted General Plan Level of Service Policy for Traffic, including its applicability and scope and an explanation of relevant concepts. This policy serves as a growth management tool. It establishes a threshold for environmental impact, and requires new developments to mitigate significant impacts. This policy serves the City by helping to protect neighborhoods, manage congestion, and build transportation infrastructure.

### **A. Application Of Policy**

#### **1. Geographic Areas**

This Policy applies to all geographic areas of the City with the following exceptions:

- a. The Downtown Core Area, as defined by the City’s General Plan. The Downtown Core Area is exempt from the City’s Transportation Level of Service Policy.
- b. Any area subject to an Area Development Policy adopted pursuant to the City’s General Plan. Each Area Development Policy includes its own guidelines for implementation of the Level of Service Policy.<sup>1</sup>
- c. Specific intersections within Special Strategy Areas that are not required to meet a minimum LOS D. As described in Section III of this Policy, Special Strategy Areas are identified in the City’s adopted General Plan and include Transit Oriented Development Corridors, Transit Station Areas, Planned Communities, and Neighborhood Business Districts.

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<sup>1</sup>The General Plan states that an “area development policy” may be adopted by the City Council to establish unique traffic level of service standards for a specific geographic area.

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## **2. Types of Developments**

This Policy applies to all developments within the applicable geographic areas, except the following types of infill projects shall be exempted from Section II(B) of this Policy, because the Council finds that these projects, individually and cumulatively, will not cause a significant degradation of transportation level of service and subject projects will further other City goals and policies:

- a. All retail commercial buildings containing (5,000 ) square feet of gross area or less.
- b. All office buildings containing (10,000 ) square feet of gross area or less.
- c. All industrial buildings of (30,000) square feet or less.
- d. All single-family detached residential projects of (15) dwelling units or less.
- e. All single-family attached or multi-family residential projects of (25) units or less.

In no case shall any of these above types of infill projects be exempted if they are increments of a larger project or parcel.

## **B. Policy Implementation**

### **1. Level Of Service**

As used in this Policy, Level of Service is a measure of traffic congestion at those signalized intersections that are within the areas subject to this policy. The standards used by the City of San José to measure the Level of Service are described in the following table.

The City's goal is to achieve an overall Level of Service of "D" at signalized intersections. City staff shall determine the appropriate methodology for determining the Level of Service, and shall apply that methodology in a consistent manner.

Level of Service	Description	Delay (seconds)
A	No congestion. All vehicles clear in a single signal cycle.	<5
B	Very light congestion. All vehicles clear in a single signal cycle.	5-15
C	Light congestion, occasional back-ups on some approaches or turn pockets.	15-25
D	Significant congestion on some approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks.	25-40
E	Severe congestion with some long back-ups. Blockage of intersection may occur. Vehicles are required to wait through more than one cycle.	40-60
F	Total breakdown. Stop and go conditions.	>60

## 2. Transportation Impact Analysis

When the City determines through the application of its technical methodology that a proposed development may result in a substantial increase in traffic congestion, the applicant must prepare a Transportation Impact Analysis (TIA) to evaluate those project impacts. The TIA must comply with relevant professional standards and the methodology promulgated by City staff. In addition to describing the existing vehicular transportation facilities in the project area, the TIA must also identify the existence, status and condition of pedestrian, bicycle and transit systems and facilities that would serve, or will be impacted by, the proposed development.

The developer must complete the proposed TIA prior to or in conjunction with the analysis of environmental impacts prepared to satisfy the requirements of the California Environmental Quality Act (CEQA).

### a. Significant LOS Impacts

A significant LOS impact occurs when the TIA demonstrates that the proposed development would either: (1) cause the level of service at an intersection to fall below LOS D, or (2) contribute 1% or more to existing traffic congestion at an intersection already operating at LOS E or F. When a significant impact occurs, then the TIA must also identify improvements that would reduce traffic congestion so that the intersection operates at the level that would exist without the proposed project. These traffic improvements will be referred to as LOS Traffic Improvements.



**b. Mitigation for LOS Impacts**

The proposed development is required to include construction of all LOS Traffic Improvements identified in the TIA as necessary to mitigate the significant LOS impacts, unless the TIA demonstrates that these improvements would have an unacceptable impact on other transportation facilities (such as pedestrian, bicycle, and transit systems and facilities), as such impacts are described in the next section of this policy. Implementing mitigation measures that cause unacceptable impacts in order to reduce the impacts of traffic congestion from a new development, is not consistent with the City's General Plan policies. In order to achieve conformance with the City's General Plan Traffic Level of Service and other transportation policies, alternative mitigation measure(s) that do not have unacceptable impacts, and that would reduce traffic congestion so that the intersection operates at the level that would exist without the proposed project, must be identified and implemented.

**3. Unacceptable Impacts of Mitigation**

For purposes of this Council Policy, an LOS Traffic Improvement has an unacceptable impact if the TIA demonstrates that the improvement would result in a physical reduction in the capacity and/or a substantial deterioration in the quality (aesthetic or otherwise) of any other planned or existing transportation facilities (such as pedestrian, bicycle and transit systems and facilities).

The following are examples of the kinds of impacts that would be considered unacceptable.

- reducing the width of a sidewalk below minimum city standard
- eliminating a bicycle lane or reducing its width below city standard
- eliminating a bus stop or eliminating a parking lane that accommodates a bus stop
- eliminating a parking strip (between sidewalk and street) that contains mature trees
- encouraging substantial neighborhood cut-through traffic.

**III. SPECIAL STRATEGY AREAS**

**A. Background**

To continue to expand local intersections in order to increase their vehicular capacity may, under certain circumstances, result in a deterioration of the local environmental conditions near those intersections, and an erosion of the City's ability to both encourage infill in designated Special Strategy Areas, and to support a variety of multi-modal transportation systems.

The City of San José has identified certain local intersections for which no further physical improvement is planned. These specific intersections, because of the presence of substantial transit improvements, adjacent private development, or a combination of both circumstances, cannot be modified to accommodate additional traffic and operate at LOS D or better, in

conformance with all relevant General Plan policies. These intersections are all well within the Urban Service Area and the Greenline/Urban Growth Boundary of the City. Future infill development that is otherwise consistent with other General Plan policies encouraging Smart Growth may, therefore, generate additional traffic through these intersections, resulting in a level of congestion that would not otherwise be consistent with the rest of this Policy.

## **B. Application**

The proposed Transportation Impact Policy would apply citywide, except 1) in the Downtown Core Area, and 2) within areas where localized adopted "Area Development Policies" are in effect. While the entire Policy applies generally to the City as a whole, there are 13 specific intersections that are proposed to be included on an initial list of "Protected" intersections which the City considers inappropriate for further improvement or expansion. The 13 Protected intersections (listed below) are intersections that are believed to be built to their maximum capacity, where further expansion would cause significant adverse effects upon existing or approved transit facilities, nearby land uses, or local neighborhoods.

## **C. Protected Intersections**

This Policy therefore acknowledges that exceptions to the City's policy of maintaining LOS D at local intersections will be made for certain Protected Intersections that have been built to their planned maximum capacity. A list of these intersections will be approved by the City Council, subsequent to completion of the appropriate CEQA review. The list may be modified by the Council in the future. Any decision to modify the list will only be made after appropriate public review and consideration of any adverse impacts that might result from such a decision.

If a proposed development project would cause a significant LOS impact [as defined in Section II(B)(2) above] at one or more of these Protected Intersections, the proposed development will include construction of specific improvements to other segments of the citywide transportation system, in order to improve system capacity and/or enhance non-auto travel modes.

The physical improvements that would be included in the proposed development will be capacity enhancing improvements to the citywide transportation systems. First priority for such improvements will be those improvements identified that would be proximate to the neighborhoods impacted by the development project traffic.

By funding these improvements to the City's overall multi-modal transportation system, the development project will contribute substantially to achieving General Plan goals for improving and expanding the City's multi-modal transportation system. The development project would, therefore, be consistent with the City's General Plan multi-modal Transportation Policies, including the Traffic Level of Service Policy.

**D. Applicability to Subsequent Projects**

A determination of General Plan conformance for a particular development project would not be applicable to subsequent, different development projects that have LOS impacts on the same Protected Intersection. Any individual project that would result in LOS impacts must be evaluated in the context of its own impacts and its own efforts to conform to this Policy.